

**REMARKS**

Claims 1-21 are pending in this application. By this Amendment, the specification, the Abstract, Fig. 1 and claims 1 and 9 are amended. No new matter is added.

Reconsideration of the application is respectfully requested.

Applicant appreciates the Examiner's indication the claims 18 and 19 contain allowable subject matter. For at least the reasons discussed below, Applicant submits that all pending claims are allowable.

Applicant also appreciates the courtesies extended by Examiner Assaf to Applicant's representative during the April 12 personal interview. Applicant's record of the substance of the interview is incorporated into the following Remarks.

The Abstract is objected to for exceeding 150 words in length. The Abstract is amended responsive to the objection. It is respectfully requested that the objection to the Abstract be withdrawn.

Claims 1-5, 7-11, 13-17, 20 and 21 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,524,771 to Maeda et al. ("Maeda"); and claims 6 and 12 are rejected under 35 U.S.C. §103(a) over Maeda. The rejections are respectfully traversed for at least the following reasons.

As discussed during the personal interview, Applicant submits that Maeda fails to disclose or suggest the combination of features recited in each of independent claims 1 and 9 including, *inter alia*, a metal oxide porous body including a plurality of pores that maintain an oxygen donor substance beyond the outer boundary of the metal oxide porous body and/or a step of supplying an oxygen donor substance to the pores of a metal oxide porous body after a step of forming the metal oxide porous body. In particular, the water (E), described in col. 3, line 22 of Maeda and identified on page 2 of the Office Action as an oxygen donor substance is not provided in the pores of the porous body after a step of forming the porous body. As

discussed in col. 6, lines 36-43 of Maeda, the water (E) and a catalyst (F) are provided for the hydrolysis of the metal compound. Thus, the water is not an oxygen donor substance. That is, the optical recording film of Maeda is obtained by applying a composition containing the photopolymerizable compound (A), the photoinitiator (B), a metal compound (C) that is crosslinkable by hydrolysis when in contact with water and the subsequent polycondensation, a good solvent (D) for the above metal compound, water (E) and a catalyst (F) for the hydrolysis of the metal compound (C) to a substrate, and drying the coating. Accordingly, in Maeda, the optical recording film consists of a gel having a network structure of an inorganic substance and a polymer of a photopolymerizable compound (A) present in the network structure in the gel (col. 3, line 66 - col. 4, line 2). Maeda does not disclose or suggest a film including a plurality of pores that maintain an oxygen donor substance beyond the outer boundary of the metal oxide porous body and/or supplying an oxygen donor substance to the pores after the step of forming the metal oxide porous body.

Further, in Maeda, the process of refractive index modulation involves exposure to interference fringes, and polymerization is selectively initiated according to a light intensity distribution within the film. Therefore, photopolymerizable compound (A) is supplied from a portion where the light intensity is low to a portion where the light intensity is high, and the polymerization is further promoted (col. 8, line 55 - col. 9, line 8). Thus, Maeda also fails to disclose or suggest a metal oxide porous body that has an increased oxygen content with oxygen from the oxygen donor substance generated when irradiated by recording light composed of a signal beam and a reference beam.

It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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JAO:MMI/ccs

Attachments:

Petition for Extension of Time  
Replacement Sheet Fig. 1  
Clean Copy of Abstract

Date: May 13, 2005

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**Amendments to the Drawings:**

The attached replacement drawing sheet makes changes to Fig. 1 and replaces the original sheet with Fig. 1. Fig. 1 is amended to identify the outer boundary 2a of the metal oxide porous body. Entry of the replacement figure is respectfully requested.

Attachment: Replacement Sheet